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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 KATHY D. PROFIT,

12 Plaintiff,

13 v.

14 JO ANNE B. BARNHART,
15 Commissioner of Social Security,

16 Defendant.
17

CIVIL NO. C-06-3572-JSW

STIPULATION AND ORDER OF REMAND

18 IT IS HEREBY STIPULATED by the undersigned for the respective parties, subject to the approval
19 of the Court, that this action be remanded to the Defendant, Commissioner of Social Security, pursuant
20 to sentence four of 42 U.S.C. § 405(g) for further proceedings. The purpose of the remand is to hold a
21 supplemental administrative hearing; re-adjudicate the issues noted below; and issue a de novo hearing
22 decision.

23 Upon remand, the Office of Disability Adjudication and Review will remand this case to a different
24 Administrative Law Judge (ALJ) and direct him or her to evaluate the opinion evidence of Dr. Tsutaoka
25 and the State Agency reviewing physicians, and to give each the appropriate weight, consistent with the
26 relevant Regulations and Social Security Rulings (SSR). The ALJ will also be directed to re-evaluate
27 the credibility of Plaintiff's subjective complaints in accordance with the relevant Regulations and
28 SSR 96-7p

Dated: January 19, 2007

/s/ Harvey P. Sackett
(As authorized via e-mail on January 19, 2007)
HARVEY P. SACKETT
Attorney for Plaintiff

KEVIN V. RYAN
United States Attorney

Dated: January 19, 2007

By: /s/ Dennis J. Hanna
DENNIS J. HANNA
Special Assistant United States Attorney

PURSUANT TO STIPULATION, IT IS SO ORDERED that this action is reversed and remanded to the Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings.

Dated: January 22, 2007


JEFFREY S. WHITE
United States District Judge